

1 Lawrence W. Fasano, Jr. (SBN 80017)
2 FASANO LAW OFFICE
3 720 Market Street, Penthouse Suite
4 San Francisco, CA 94102
5 Telephone: (415) 956-8800
6 Facsimile: (415) 956-8811

7 Attorneys for Plaintiff
8 PATRICIA HESTER

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PATRICIA HESTER

Plaintiff,

vs.

JO ANNE B. BARNHART, Commissioner,
Social Security Administration

Defendant.

Case No. C 04-3511 TEH

STIPULATION AND ~~[PROPOSED]~~
ORDER RE BRIEFING SCHEDULE
AND MOTION HEARING DATE

STIPULATION

Plaintiff's attorney was in a jury trial in San Diego Superior Court from 2/3/2006 through 2/21/2006. He received a phone call while in trial that his nineteen-year-old daughter fell from the roof of a house and had fractured her heel. Since he returned to the San Francisco Bay Area he has been involved in taking her to various medical appointments, and on 2/27/2006 was with her at Highland Hospital in Oakland for surgery, which was unexpectedly cancelled at the last minute.

Based upon the foregoing, the parties stipulate to the following change in the briefing schedule and hearing date and time on Defendant's Motion for Summary Judgment:

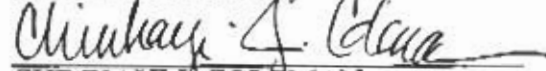
STIPULATION AND [PROPOSED] ORDER RE BRIEFING SCHEDULE AND HEARING DATE
C 04-3511 TEH

1. Plaintiff shall file and serve on or before 3/13/2006 an Opposition to Defendant's Motion for Summary Judgment;
2. Defendant shall file and serve on or before 3/20/2006 a Reply to Plaintiff's Opposition Brief;
3. The hearing on Defendant's Motion for Summary Judgment presently scheduled for hearing on March 10, 2006 at 10:00 a.m. should be continued to April 3, 2006 at 10:00 a.m.;
4. The present trial date (May 9, 2006) and pre-trial conference date (April 24, 2006) should be vacated and rescheduled, if necessary, at the hearing on the motion for summary judgment.

Dated: March 1, 2006

KEVIN V. RYAN

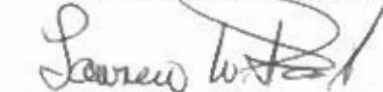
United States Attorney



CHINHAYI J. COLEMAN

Assistant United States Attorney

Dated: March 1, 2006



LAWRENCE W. FASANO, JR.

Attorney for Plaintiff

PATRICIA HESTER

PROPOSED ORDER

Pursuant to stipulation, the Court makes the following orders:

1. Plaintiff shall file and serve on or before March 13, 2006 an Opposition to Defendant's Motion for Summary Judgment;
2. Defendant shall file and serve on or before March 20, 2006 a Reply to Plaintiff's Opposition Brief;
3. The hearing on Defendant's Motion for Summary Judgment presently scheduled for hearing on March 10, 2006 at 10:00 a.m., is hereby **rescheduled to April 3, 2006 at 10:00**

STIPULATION AND [PROPOSED] ORDER RE BRIEFING SCHEDULE AND HEARING DATE
C 04-3511 TEH

1 a.m.

2 4. The present trial date (May 9, 2006) and pre-trial conference date (April 24, 2006)
3 are hereby vacated, and will be rescheduled, if necessary, at the hearing on the motion for
4 summary judgment.

5 Dated: 03/02/06



HONORABLE THELTON E. HENDERSON
United States District Judge

27 STIPULATION AND [PROPOSED] ORDER RE BRIEFING SCHEDULE AND HEARING DATE
C 04-3511 TEH

- 3 -